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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/501,817

01/27/2005

Ralf Salamch

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EXAMINER

WILSON, AARON NOEL

ART UNIT

PAPER NUMBER

3747

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/501,817	<b>Applicant(s)</b> SALAMEH, RALF	
	<b>Examiner</b> Aaron N. Wilson	<b>Art Unit</b> 3747	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/19/2004</u> . | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Leo (US 6267875 B1). In regard to claim 9, Leo teaches a housing closing cover comprising: a carrier member having a bottom surface (9d) to be positioned against a mating component (13e) and an opening (21) in said carrier member (11); a fluid seal mounted in said opening of said carrier element having an annular axial seal lip (11a) facing in the axial direction of the opening adjacent on edge of said opening to provide a static face seal between said housing and the mating component, and including an annular radial sealing lip (9c) disposed radially inwardly of said axial sealing lip for sealing a member projecting through said opening, and wherein said radial sealing lip is supported for angular and radial movement relative to said carrier without significantly impairing the sealing lip about the member projecting through the opening (Figure 14).
3. In regard to claim 10, Leo teaches the housing cover of claim 9, wherein said fluid seal includes a fusion zone connecting said radial sealing lip to said axial sealing lip and enabling said angular and radial movement of said radial sealing lip through flexing of said fusion zone (column 15, lines 32-49).

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4. In regard to claim 11, Leo teaches the housing cover of claim 9 wherein said carrier member includes an axially angled (1c) region adjacent said opening (Figure 2).

5. In regard to claim 12, Leo teaches the housing cover of claim 10 wherein said fusion zone comprises a tapered neck region (12) of said fluid seal having a wave form (column 15, lines 32-49).

6. In regard to claim 13, Leo teaches the housing cover of claim 9 including a flexible retainer spring (1c) mounted on said fluid seal opposite said radial sealing lip.

7. In regard to claim 14, Leo teaches the housing cover of claim 9 including a rigid ring mounted on said sealing lip opposite said sealing lip.

8. In regard to claim 15, Leo teaches the housing cover of claim 14 wherein said rigid ring is molded in place in said fluid seal (column 13, lines 31-39).

9. In regard to claim 16, Leo teaches the housing cover of claim 10 wherein said fusion zone is fabricated of a radially and angularly flexible material that is different than that of the axial and radial sealing lips (column 14, lines 54-column 15, line 7).

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Each prior art comprises a closing cover with a seal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron N. Wilson whose telephone number is (571)272-3319. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Cronin can be reached on (571)272-4536. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aaron N Wilson  
Examiner  
Art Unit 3747

anw



STEPHEN K. CRONIN  
SUPERVISORY PATENT EXAMINER